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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number

09/842,883

Filing Date

April 27, 2001

First Named Inventor

Benjamin R. Jones

Art Unit

Examiner Name

Total Number of Pages in This Submission

17

Attorney Docket Number

1038-1142 MIS:jb

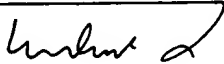
RECEIVED

MAR 08 2004

OFFICE OF PETITIONS**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael I. Stewart (Reg. No. 24,973)
Signature	
Date	March 2, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the

Typed or printed name

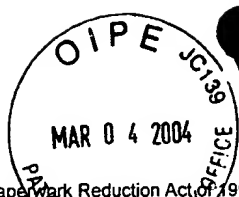
Signature

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Approved for use through 07/31/2006. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$110.00

Complete if Known

Application Number 09/842,883
Filing Date April 27, 2001

First Named Inventor Benjamin R. Jones

Examiner Name

Art Unit

Attorney Docket No. 1038-1142 MIS:jb

OFFICE OF PETITIONS

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit
Account
Number

Sim & McBurney

Deposit
Account
Name

192253

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND

Extra Claims		Fee from below	Fee Paid
Total Claims	-20** =		
Independent Claims	-3** =		
Multiple Dependent			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) \$0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non - English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	110.00
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR § 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Statement	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) \$110.00

SUBMITTED BY

Name (Print/Type)	Michael I. Stewart	Registration No. (Attorney/Agent)	24,973	Telephone	(416) 595-1155
Signature		Date	March 2, 2004		

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#13

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Benjamin Rovinski, et al.
Appl'n. No. : 09/842,883
Filed : April 27, 2001
Title : IMMUNIZING AGAINST HIV INFECTION
Docket No. : 1038-1142 MIS/jb
Date : March 2, 2004

RECEIVED

MAR 0 8 2004

OFFICE OF PETITIONS**BY COURIER**

Mail Stop Petitions
Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
U.S.A.

**PETITION TO REVIVE AN UNAVOIDABLE ABANDONED
APPLICATION UNDER 37 CFR 1.137(a)**

Sir:

This application is held to be abandoned for an apparent failure to respond to a Notice to File Missing Parts mailed July 7, 2002. Petition is hereby made under the provisions of 37 CFR 1.137(a) for this application to be revived. Our cheque in the amount of the prescribed fee is enclosed.

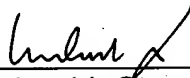
A Notice to File Missing Parts dated July 12, 2001 was received along with a filing receipt and responded to by our letter of September 10, 2001. Subsequently, a Notice of Incomplete Reply dated October 25, 2001 was received, noting that the applicants had not complied with the provisions of 37 CFR 1.821 to 1.825 with respect to a Sequence Listing. Applicants complied with this requirement by our letter of November 12, 2001, forwarded to the Office by courier, and received by the Office on November 13, 2001, as evidenced by the enclosed copy of the return postcard that accompanied our letter.

An updated filing receipt was mailed November 30, 2001. No subsequent Notice to File Missing Parts has received, nor, as is apparent from the above chronology of events, should there have been a need for one. We have

checked our log of incoming PTO mail for two weeks after the alleged mailing date and enclose a copy of this log.

It is submitted that the abandonment was unavoidable since the paper said to be mailed by the Office has not been received. Under the circumstances, it is submitted that the application ought to be revived.

Respectfully submitted,



Michael I. Stewart
Reg. No. 24,973

Toronto, Ontario, Canada,
(416) 595-1155
FAX No. (416) 595-1163



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/842,883	04/27/2001	Benjamin Rovinski	1038-1142 MIS:jb

CONFIRMATION NO. 7578

**ABANDONMENT/TERMINATION
LETTER**



OC000000011449522

24223
SIM & MCBURNEY
330 UNIVERSITY AVENUE
6TH FLOOR
TORONTO, ON M5G 1R7
CANADA

Date Mailed: 12/09/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 07/10/2002.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

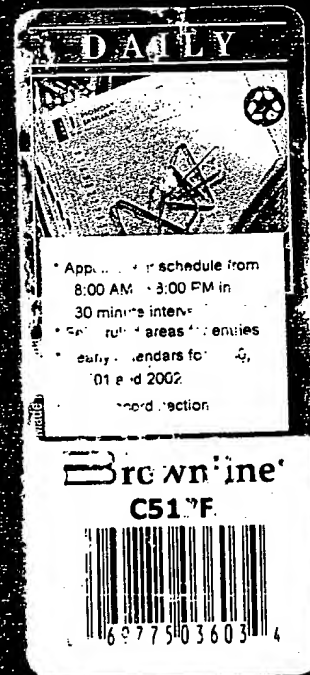
Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

M. Young
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Brownline®
2002



Best Available Copy

8 MONDAY
JULY

189th day / 176 to come

8:00 a.m.	2191436 THW ASD	2105519 MIS MF
8:30	2203828 PAR ASD	2141031 THW ASD
9:00	2225147 PAR ASD	2150039 PAR ASD
9:30	2257612 STP ASD	2205353 MIS ASD
10:00	2360926 THW ASD	
10:30	2125306 STP MF	
11:00	2164694 ? MF	
11:30	2257613 PAR ASD	
12:00 noon	2259522 PAR ASD	
12:30 p.m.	2297780 THW ASD	
1:00	2311214 THW ASD	
1:30	2330210 THW ASD	
2:00	2334511 THW ASD	
2:30	2334760 THW ASD	
3:00	2376642 THW ASD	
3:30	2254109 LAB ASD	
4:00	1302698 MIS MF	
4:30	2097960 ? MF	
5:00	2125428 STP MF	
5:30	2125432 STP MF	
6:00	2125433 STP MF	
6:30		
7:00		
7:30		
8:00		
evening		

TUESDAY
JULY

9

190th day / 175 to come

2152662 PAROA
223126157P0A
2226182 STNA
2304231 DARNA
2342850 2 ASD

a.m. 8:00

8:30

9:00

9:30

10:00

10:30

11:00

11:30

noon 12:00

p.m. 12:30

1:00

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3:00

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4:00

4:30

5:00

5:30

6:00

6:30

7:00

7:30

8:00

evening

10 WEDNESDAY
JULY

● New Moon

191st day / 174 to come

8:00 a.m.

2299833 NARABO

8:30

9:00

9:30

10:00

10:30

11:00

11:30

12:00 noon

12:30 p.m.

1:00

1:30

2:00

2:30

3:00

3:30

4:00

4:30

5:00

5:30

6:00

6:30

7:00

7:30

8:00

evening

4 to come

192nd day / 173 to come

THURSDAY
JULY 11

2205618 STPAB1

a.m. 8:00

8:30

9:00

9:30

10:00

10:30

11:00

11:30

noon 12:00

p.m. 12:30

1:00

1:30

2:00

2:30

3:00

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4:00

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5:00

5:30

6:00

6:30

7:00

7:30

8:00

evening

12 **FRIDAY**
JULY

193rd day / 172 to come

8:00 a.m.

8:30

9:00

9:30

10:00

10:30

11:00

11:30

12:00 noon

12:30 p.m.

1:00

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5:30

6:00

6:30

7:00

7:30

8:00

evening

MONDAY
JULY 15

day / 169 to come

1319001 ? MF	2150741 THW ABS	a.m. 8:00
1319002 ? MF	2150843 THW ABS	8:30
1339915 ? MF	08/896442 MIS US	9:00
2071335 MIS ABS	2273835 THW ABS	9:30
2126117 LAB ABS		10:00
2165472 PAR ABS		10:30
2192949 THW ABS		11:00
2258788 PAR ABS		11:30
2334819 THW ABS		noon 12:00
2335073 THW ABS		p.m. 12:30
2335083 STP ABS		1:00
2248824 STP ABS		1:30
2224640 LAB ABS		2:00
2224675 STP ABS		2:30
2268946 THW ABS		3:00
2274351 STP ABS		3:30
2335114 MIS ABS		4:00
2044692 MIS MF		4:30
2274417 MIS NA		5:00
2223289 THW NA		5:30
		6:00
		6:30
		7:00
		7:30
		8:00
		evening

16 TUESDAY
JULY

☾ First Quarter

197th day / 168 to come

8:00 a.m.	2261269 MISOA
8:30	2124355 THWOA
9:00	2286019 THWOA
9:30	2272710 PAR OA
10:00	2240970 MISAND
10:30	2240974 STPARA
11:00	2275532 MISAND
11:30	2044891 MIS MF
12:00 noon	2179335 MIS MF
12:30 p.m.	1284961 ? MF
1:00	2226953 THWABA
1:30	2227052 THWABA
2:00	2255632 STPARA
2:30	2227146 THWABA
3:00	546300 MISNA
3:30	
4:00	
4:30	
5:00	
5:30	
6:00	
6:30	
7:00	
7:30	
8:00	
evening	

WEDNESDAY
JULY 17

198th day / 167 to come

a.m. 8:00

2152093 PARAS

8:30

2208218 MISAS

9:00

2224153 JMWAS

9:30

2225286 MISAS

10:00

2294216 PARAS

10:30

2297148 JMWAS

11:00

2253903 JMWAS

11:30

2253607 CASNA

noon 12:00

2306993 STPNA

p.m. 12:30

2257828 PARAS

1:00

2234787 STPOA

1:30

2116680 PARAS

2:00

2:30

3:00

3:30

4:00

4:30

5:00

5:30

6:00

6:30

7:00

7:30

8:00

evening

18 THURSDAY
JULY

199th day / 166 to come

200th

8:00 a.m. 2228 934 MISOA

8:30 2251 931 PAR OA

9:00 2271 084 THW OA

9:30 2229 563 THW OA

10:00 2063 347 STP OA

10:30 2209 601 LA/OA

11:00 2070 816 THW OA

11:30 2285 068 DAR NA

12:00 noon 2262 198 STP NA

12:30 p.m.

1:00

1:30

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3:00

3:30

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5:00

5:30

6:00

6:30

7:00

7:30

8:00

evening

come

200th day / 165 to come

FRIDAY
JULY 19

23837475TP 0A
10/173602MISUS
10/135573MISUS
10/176640MISUS

a.m. 8:00

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11:30

noon 12:00

p.m. 12:30

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4:30

5:00

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6:00

6:30

7:00

7:30

8:00

evening

Date: November 12, 2001

Applicant: B. Rovinski, et al.

Application No: 09.842,883

Title: IMMUNIZING AGAINST HIV INFECTION

New Appln, Cheque, Formal Papers: ()

Retyped Required in Notice of Allowance: ()

Final Fee: ()

Other: Sequence Listing in computer-readable and hard copy forms and Cheque in the amount of 400.00 and extension of time request

Due Date: November 12, 2001



Please place the official stamp of the Patent Office on this card and return it to us for our files to constitute an acknowledgment by the Patent Office of receipt of the above-identified papers on the date stamped.

SIM & McBURNEY

1038-1142 MIS:jb

NOV 13 2001

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